Mr. Tudki Ramanna Gowda.—

With reference to answer (*b*), are not the rates fixed beforehand?

Chief Secretary to Government.—

That depends upon the circumstances.

Mr. Tudki Ramana Gowda.—

If the raiyats had known that the department was going to charge such high rates, they would not have taken the timber at all.

Chief Secretary to Government.—

The aggrieved parties may apply to the Conservator or Chief Conservator of Forests for relief.

MR. V. V. IYER (Shimoga Taluk).—

Q.—40. Will the Government be pleased to state :—

(*a*) How many notices were issued during 1930-31, 1931-32 and 1932-33 in Shimoga District, for the production of account books under the provisions of the Income-Tax Regulation?

(*b*) In how many cases was it found out that the income was not assessable? (Talukwar details may be furnished).

(*c*) Who is the officer to give first information about the persons having assessable income?

SECRETARY TO GOVERNMENT, DEVELOPMENT DEPARTMENT.—

A.—40. (*a*) and (*b*).

	1930-31		*1931-32*		*1932-33*	
	(*a*)	(*b*)	(*a*)	(*b*)	(*a*)	(*b*)
Shimoga	136	33	120	46	121	64
Thirthahalli ...	40	9	43	12	33	13
Honnali	20	2	22	6	25	12
Chennagiri ...	27	6	37	19	35	15
Kumsi Sub-Taluk ...	...	...	4	1	5	3
Sagar	98	45	101	43	111	36
Sorab	20	15	22	16	30	10
Shikarpur ...	40	30	45	29	55	17
Nagar	18	15	21	14	28	10

(*c*) The Amildars.

Supplementary Questions and Answers.

Mr. V. V. Iyer.—

Who gives the first information to the Amildars about the assessees ?

Secretary to Government, Development Department.—

Generally the Inspectors in charge.

Mr. V. V. Iyer.—

In the Shimoga Taluk, 64 persons out of 121 had been unjustly assessed to the tax. Should not the Amildar at least have verified the reports before submitting them to the Sub-Division Officer ?

Secretary to Government, Development Department.—

That is not possible. Local officers merely estimate the incomes and send up reports.

Mr. V. V. Iyer.—

Has it come to notice that even persons with an income of Rs. 100 were brought on the list ?

Secretary to Government, Development Department.—

We do not know that.

Mr. V. V. Iyer.—

Will Government issue a circular to all the Amildars to scrutinize the returns more carefully ?

Secretary to Government, Development Department.—

The orders are already there.

Mr. V. V. Iyer.—

Who will be responsible for all the worry caused to poor people unnecessarily ?

Secretary to Government, Development Department.—

Any tax means hardship to all people concerned. The remedy lies in the parties themselves furnishing the information called for by the assessing officer.

Mr. Rame Gowda.—

When the Revenue Inspectors recommend certain names, is it right for the Amildars to include more names?

Secretary to Government, Development Department.—

After inquiry, the Amildars may have to include more names.

Mr. Rame Gowda.—

In such cases, do you not take action against the subordinate officials for not furnishing complete information in the first instance itself?

Secretary to Government, Development Department.—

Each official makes inquiries and reports to the best of his knowledge and information.

Mr. H. Krishnamurthyachar.—

It is seen from the answer to questions (*a*) and (*b*) that several people had been brought on the list of assessees in an arbitrary way and that the parties have had to spend a lot of time and money in proving that they were not liable to be taxed. Who was responsible for sending incorrect reports?

Secretary to Government, Development Department.—

It is inevitable. But I am not sure that all of them had to go in appeal to obtain relief.

Mr. H. Krishnamurthyachar.—

How is relief possible if they don't appeal?

Secretary to Government, Development Department.—

The previous year's returns might enable them to get relief. Moreover, the parties need not go to the headquarters of the Sub-Division Officer, since he himself would visit the villages for inquiry.

Mr. Channaveerappa.—

Without reliable information, how will the authorities assess the parties?

Secretary to Government, Development Department.—

If they are not satisfied with the information furnished, they give notice to the parties to send their returns and they are assessed only afterwards.

Mr. Channaveerappa.—

Has it come to notice that even after the submission of the returns, the Amildar distrusts the accounts and insists on assessing the parties ?

Secretary to Government, Development Department.—

They can go in appeal in such cases.

Mr. Channaveerappa.—

What should be done if appeals also are dismissed without reference to merits ?

Secretary to Government, Development Department.—

A further appeal also lies to Government.

Mr. Channaveerappa.—

I know a case where even Government dismissed the appeal.

Secretary to Government, Development Department.—

You cannot say everybody does injustice.

Mr. T. Mariappa.—

Has it come to your notice that in many cases the income-tax officers have levied the tax indiscriminately ?

Secretary to Government, Development Department.—

No.

Mr. T. Mariappa.—

Are you aware that the Amildars send the reports without themselves verifying the information and thus put the people to hardship ?

Secretary to Government, Development Department.—

No.

Mr. T. Mariappa.—

Is it not desirable that the Amildars should verify the information personally ?

Dewan.—

That is a matter of opinion.

Mr. T. Mariappa.—

Are you aware that even small money-lenders with a capital of Rs. 1,000 or Rs. 2,000 have been included as assessees ?

Secretary to Government, Development Department.—

The officials responsible must have given reasons for including them.

Mr. T. Mariappa.—

Are you aware that most of the appeals have been dismissed ?

Secretary to Government, Development Department.—

That shows what the income-tax officers did was right.

Mr. T. Mariappa.—

Then how about the several cases where it was decreed that the income was not assessable ?

Secretary to Government, Development Department.—

In individual cases, it might have happened.

Mr. T. Mariappa.—

Will the Government take steps against the officers who assess the parties on reports based upon unreliable data ?

Secretary to Government, Development Department.—

If there be any such instances, they may be brought to notice.

Mr. T. Mariappa.—

If they are reported, will Government take action against them ?

Secretary to Government, Development Department.—

Yes.

Mr. Sarabhanna.—

If appeals are successful, will you refund also the taxes collected in previous years ?

Secretary to Government, Development Department.—

The question of previous years' recoveries does not arise. You will get refunds for the years to which the appeal relates.

Mr. Tudki Ramanna Gowda.—

Do the figures given in the answer also include officers who are assessed to income-tax ?

Secretary to Government, Development Department.—

I cannot say.

Mr. Tudki Ramanna Gowda.—

When once the officer knows from the previous year's return that a particular party does not come within the assessable limit, why give notice to him in succeeding years also ?

Secretary to Government, Development Department.—

Generally it is not done. But where it is done, it must be on the ground that the income might have improved.

Mr. B. Kappanna Gowda.—

You say that the first information is received from the Amildars. How will they know the income of all the people ?

Secretary to Government, Development Department.—

They inquire and find out. The Shekdars also make inquiries.

Mr. Subbanna Naik.—

How does the Amildar gather the information ?

Secretary to Government, Development Department.—

Just as he gathers all other information.

Mr. Subbanna Naik.—

If on account of personal animosity, the local residents say that a particular money-lender is liable to income-tax, does the assessing officer straightway levy the tax?

Secretary to Government, Development Department.—

He does not levy the tax straightway but issues a notice calling for his financial returns.

Mr. Sarabhanna.—

Some landlords have no income excepting that derived from agriculture. Have not the authorities given notice to such persons ?

Second Member of Council.—

As already stated, the remedy lies in producing the accounts as soon as notice is received.

Mr. Subbanna Naik.—

The trouble is that most of the parties are illiterate and cannot maintain any accounts. How can you insist on their producing accounts ? They cannot afford to pay and maintain a clerk for keeping accounts. At least will Government instruct the Amildars to verify the information received from their subordinates before sending up their reports ?

Secretary to Government, Development Department.—

No officer submits his reports, presumably, without verification.

RESOLUTIONS—(*Concluded*).

Resolution No. 8—(Concluded).

Continuing his speech from where he had left it the previous day, MR. M. P. SOMASEKHARA RAO said that the resolution was not aimed at interfering with any private rights and liberties of others. It did not contemplate that the Harijans should be given the right to enter into any private chattram or to use water from a private well or tank. It only wanted that wherever chattrams, tanks, wells, etc., had been constructed from the general revenues, the Harijan's right to make use of them should be conceded just as in the case of any other citizen. The speaker said that this was the most appropriate time for adopting such a reform and requested the House to vote in favour of the resolution.

MR. P. MURUGESAM PILLAY whole-heartedly supported the resolution. He pointed out that the question of ameliorating the condition of the depressed classes had been coming up before the Assembly in some form or other ever